Accommodations Toolkit

Preferential Seating: States' Accessibility Policies, 2023

This summary of states' accessibility policies for **preferential or specific seating** is part of the *Accommodations Toolkit* published by the National Center on Educational Outcomes (NCEO).[1] The toolkit also contains a summary of the research literature on preferential seating.

Accessibility policies often have several tiers of accessibility features: universal features, designated features, and accommodations.[2] Figure 1 summarizes how states included preferential seating in their accessibility policies for students with disabilities in 2023. Figure 2 summarizes how states included preferential seating in their accessibility policies for English learners in 2023. Table 1 shows how preferential seating was included in the policies, while Table 2 contains additional details and specifications.

Figure 1. States' Accessibility Policies for Students with Disabilities for Preferential Seating, 2023

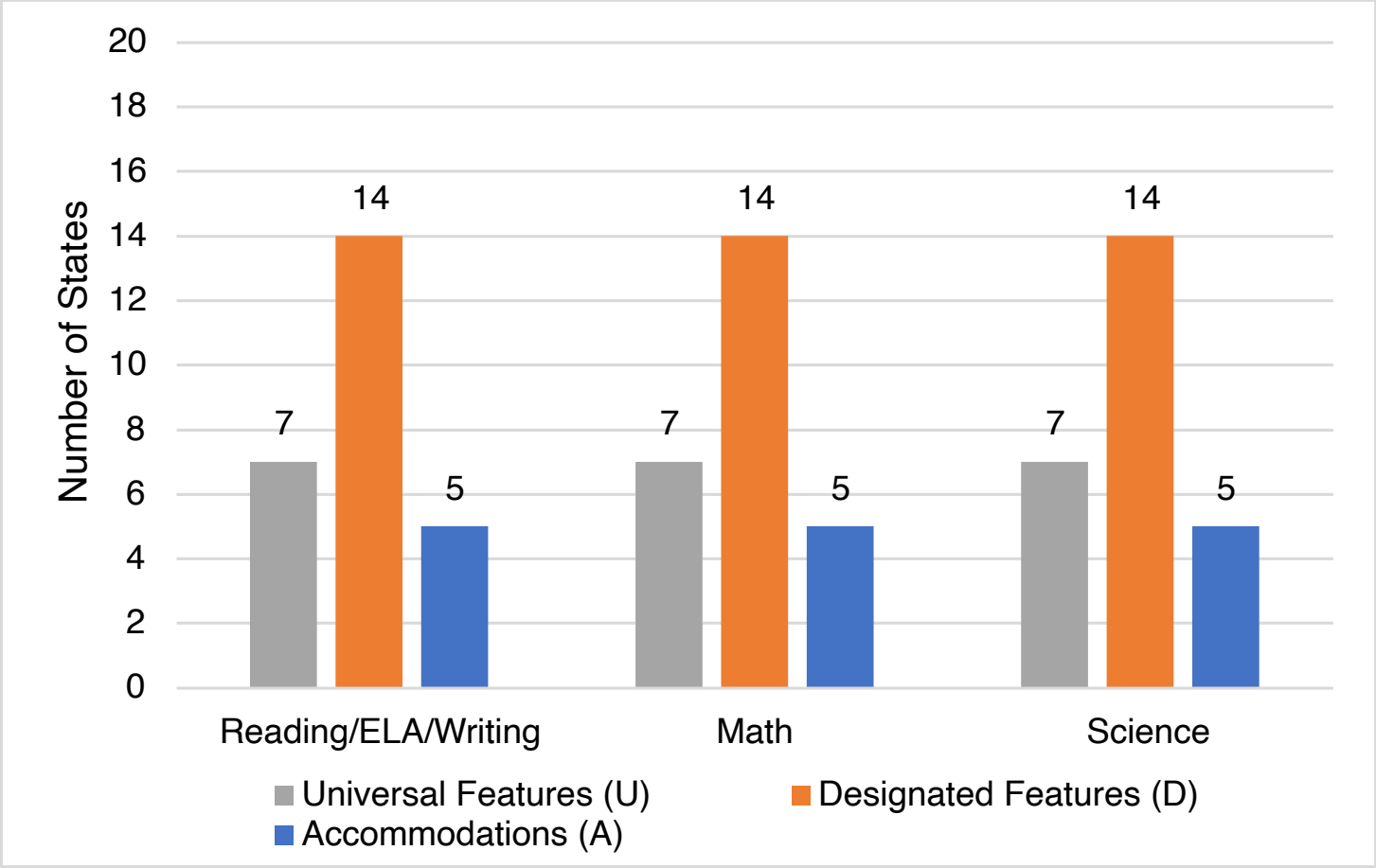

Figure 2. States' Accessibility Policies for English Learners for Preferential Seating, 2023

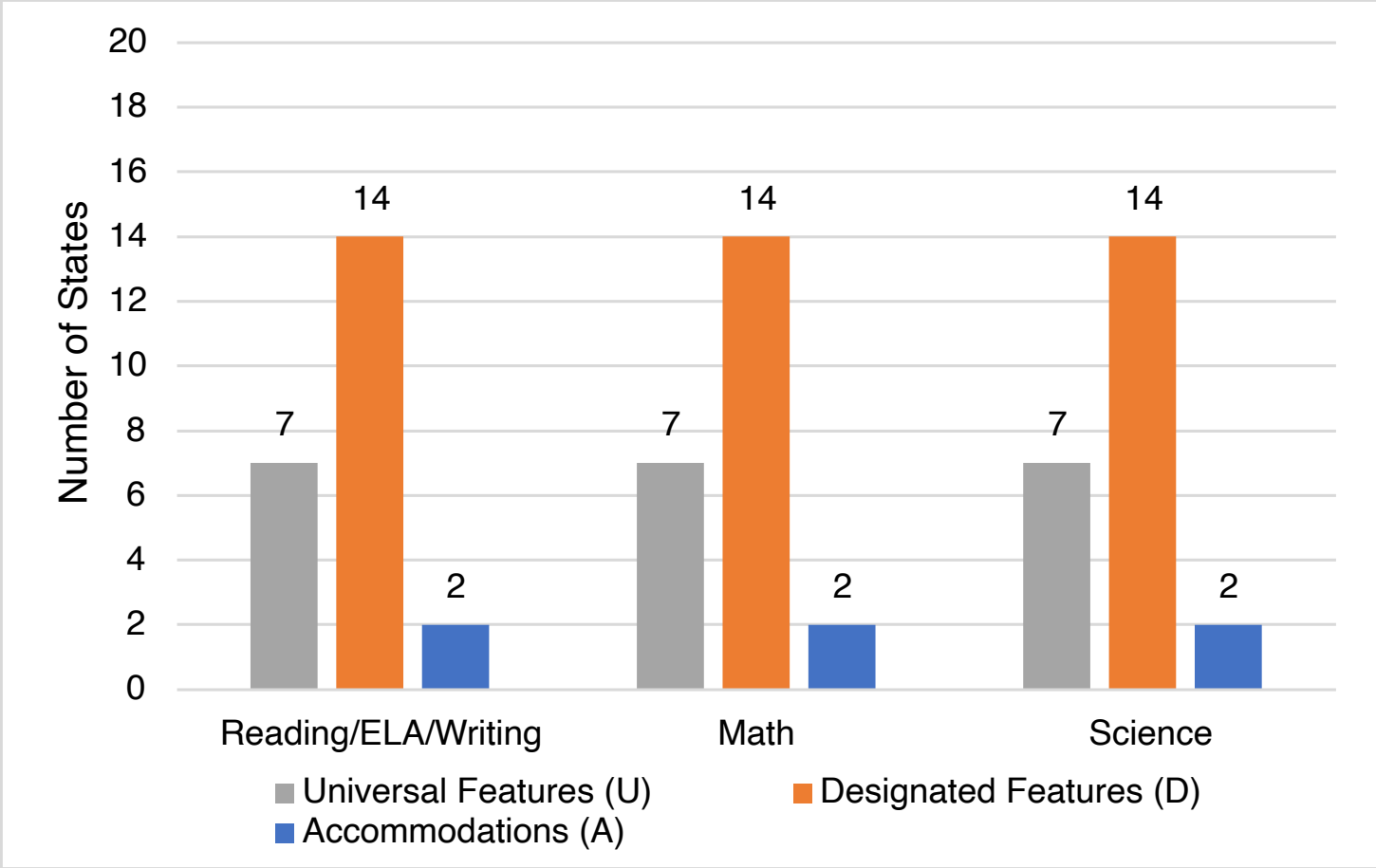

Table 1. Accessibility Policies for Tactile Graphics by State, 2020

U=Universal Feature, D= Designated Feature, A=Accommodation, ELA= English Language Arts, X = Allowed, SD = Al

State	Reading/ELA/Writing			Math	
	U	D	A	U	
Alabama					
Alaska		X			X
Arizona	X			X	
Arkansas		X			X
California					
Colorado		X			X
Connecticut					
Delaware	X			X	
District of Columbia		X			X

Florida					
Georgia			SD		
Hawaii			SD, E		
Idaho					
Illinois		X			X
Indiana	X			X	
Iowa					
Kansas					
Kentucky					
Louisiana					
Maine					
Maryland		X			X
Massachusetts		X			X
Michigan					

Minnesota	X			X	
Mississippi					
Missouri		X			X
Montana					
Nebraska	X			X	
Nevada					
New Hampshire					
New Jersey		X			X
New Mexico		X			X
New York			SD		
North Carolina		X			X
North Dakota					
Ohio	X			X	

Oklahoma		X	SD, E		
Oregon					
Pennsylvania					
Rhode Island	X			X	
South Carolina		X			
South Dakota					
Tennessee					
Texas					
Utah					
Vermont					
Virginia					
Washington					
West Virginia			SD		

Wisconsin					
Wyoming		X			X
Total (Students with Disabilities)	7	14	5	7	
Total (English Learners)	7	14	2	7	

Note: No policies were identified that specifically addressed English learners.

Table 2. Details and Specifications: States' Specific or Preferential Seating Accessibility Policies

State	Details/Specifications
Alaska	**Administrative Consideration (Designated Feature):** Specific Seating: Seat students any place in the testing environment that helps them hear, see, focus, or otherwise engage with the test. For example, students might do their best when seated near or away from a window or vent or near the test administrator. Seating arrangements must ensure the student can access test materials, hear the test administrator and any recorded audio, and be monitored.
Arizona	**Universal Test Administration Condition (Universal Feature):** Being seated in a specific location within the testing room or being seated at special furniture.
Arkansas	**Designated Support:** Specific seat location (e.g., sitting in the front to see sign-language interpreter), or testing in a small group or one-to-one.
Colorado	**Administrative Consideration (Designated Feature):** Specified seating: Seating students in specified locations in the testing environment during assessment is allowed, as determined at the local level. For example, a student may benefit from being seated away from the door or windows to minimize distractions or away from a heating/cooling vent. While seating is an administrative consideration, position students in a suitable manner for testing (i.e., lying on the floor during testing is not appropriate). Additionally, it is not appropriate to seat a student in a location that is not visible to the Test Administrator, such as behind a bookshelf separating the student from the rest of the room.
Delaware	**Universal Feature:** Specified area or preferential seating: Student is seated or placed in a location that is most beneficial for learning and assessment. Select this option to provide students with preferential seating or a specific area in the room for testing.
District of Columbia	**Administrative Consideration (Designated Feature):** Specified area or setting: Student is tested in a specialized area or setting (e.g., front of the classroom, seat near the door, library, etc.).

Georgia	**Accommodation (Students with Disabilities):** A student may have preferential seating.
Illinois	**Administrative Consideration (Designated Feature):** Specified area or setting: Student is tested in a specialized area or setting (e.g., front of the classroom, seat near the door, library, etc.).
Indiana	**Universal Feature:** Seating arrangements are determined by the Test Administrator (TA) based on the best surroundings for the student. Some factors include lighting conditions, behaviors, and proximity to doors or windows.
Maryland	**Administrative Consideration (Designated Feature):** Specified area or setting: Student is instructed or assessed in a specified area or setting (e.g., front of the classroom, seat near the door, library, etc.).
Massachusetts	**Designated Accessibility Feature:** Seating in a specified area of the testing room, including the use of a study carrel.
Minnesota	**General Support Available to All Students (Universal Feature):** Special settings: The assessment is administered in a special setting (for example, certain lights, acoustics, seating arrangements).
Missouri	**Administrative Consideration (Designated Feature):** Specific seating or room
Nebraska	**Universal Feature:** Focus/engagement assistance: Students may have access to items/conditions (e.g., fidgets, flexible seating, water bottle at student's desk, music for individual students with headphones, gum/mints) they typically have access to during regular instruction to help with focus and/or engagement. New items/conditions should not be introduced to students specifically for testing nor be used in any way to incent performance. Item/conditions should be used in a manner that minimizes the possibility of distraction to other students (e.g., handed out before testing when possible). All care should be given to not interrupt or distract students during testing.

New Jersey	**Administrative Consideration (Designated Feature):** Specified area or setting: Student is tested in a specialized area or setting (e.g., front of the classroom, seat near the door, library, etc.).
New York	**Accommodation (Students with Disabilities):** Specialized seating
North Carolina	**Designated Feature:** Preferential seating in the classroom (i.e., not in a separate setting) may be used for students for the administration of all tests in the Annual Testing Program. Preferential seating may be appropriate for students who have difficulty maintaining attention in a group setting, students who use specialized equipment that may be distracting to others, or students with visual impairments who may need special lighting or a seat closer to the front of the room. All preferential seating must be positioned in such a way that no student is able to see another student's test documents.
Ohio	**Administrative Consideration (Universal Feature):** The student sits in a specific place in the test setting, such as by the window for natural light or near the test administrator or proctor's station.
Oklahoma	**Designated Accessibility Feature:** Seating in a specified area of the testing room, including the use of a study carrel. **Accommodation:** Students may need to sit close to the front of the room so they can see or hear more easily, increase physical access, or have access to special equipment.
Rhode Island	**Accessibility Feature (Universal Feature):** Student takes the test in a specific area of the testing room where they are most comfortable, including use of study carrel. Seating arrangements must ensure the student can access test materials, hear the test administrator and any recorded audio, and be monitored.
South Carolina	**Administrative Consideration (Designated Feature):** Seat location/proximity

West Virginia	**Accommodation (Students with Disabilities):** Description: Student is given special seating arrangements. Placement of student where they are most comfortable or placement of student near proctor. Instructional practice: Special seating arrangements for students who are easily distractible are provided within the classroom to improve focus. When to select: Students who are easily distracted or may have a visual/auditory disability. The preferential seating may be in a specific location (for example, away from windows, doors, or pencil sharpeners, near the teacher's desk, or in the front of a classroom). Notes for implementation: • Changes in instructional and assessment seating locations can benefit students who are easily distracted. • Students with physical disabilities might need a more accessible location within the testing environment.
Wyoming	**Administrative Consideration (Designated Feature):** Specified area or seating: The student sits in a specific place in the test setting, such as by the window for natural light or beside the test administrator's desk.

Footnotes

[1]

States' accessibility policies on preferential seating were obtained through the examination and analysis of publicly available information, including accommodations manuals or other policy documents, on state department of education websites. The policies were gathered from states' websites in August 2023.The information in the tables from each state was coded based on information in the state policy.

[2]

Universal Features are available to all students as they access instructional or assessment content. *Designated Features* are available to any student as long as an educator (or team of educators, with student and parent input) indicates that they would be helpful given the student's characteristics and needs. *Accommodations* are changes in procedures or materials ensure equitable access to instructional and assessment content and generate valid assessment results for students who need them. Accommodations are generally available to students for whom there is documentation on an individualized education program (IEP) or 504 accommodations plan; some states also have offered accommodations to English learners.

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